CITY OF BRIDGEPORT CITY COUNCIL PUBLIC SPEAKING SESSION MONDAY, OCTOBER 7, 2013 6:30 PM

ATTENDANCE: Council members: Brannelly, Stafstrom, Banta, Taylor-Moye, Olson,

Brantley, T. McCarthy, Austin, Lyons, Vizzo-Paniccia, Bonney,

dePara, Silva, Avala, Martinez, Paoletto, Holloway

ABSENT: Council members: Blunt, Marella, Baker

Council President McCarthy called the public speaking session to order at 6:45 pm.

The city clerk took the roll call and announced there was a quorum.

Council President McCarthy reviewed the rules for conducting the public speaking session.

THE FOLLOWING NAMED PERSON HAS REQUESTED PERMISSION TO ADDRESS THE CITY COUNCIL ON MONDAY, OCTOBER 7, 2013 AT 6:30 P.M., IN THE CITY COUNCIL CHAMBERS, CITY HALL, 45 LYON TERRACE, BRIDGEPORT, CT.

NAME SUBJECT

Ethan Book 144 Coleman Street Bridgeport, CT 06604 Issues of the operations of the Bridgeport Parking Violations Bureau

PUBLIC COMMENTS OF ETHAN BOOK BEFORE THE CITY COUNCIL OF THE CITY OF BRIDGEPORT October 7, 2013

Mr. Council President, Members of the City Council and public:

I am Ethan Book, candidate for this City Council to represent the 131st District. There have been those who have stated that the Bridgeport city government needs to be cleaned up. There have even been some who have commented that the situation rises to the level of need for an extreme makeover. Regardless of the *level* of need for improvement of city government, the *manner* of beginning that process is to address individual issues. One of such issues is that of operations of the Parking Violations Bureau. As one, among others,

City of Bridgeport City Council Meeting October 7, 2013 Page 1 of 13 who has had some difficult and unpleasant experiences with the Bureau, I have some observations and recommendations.

Despite a specific request for public information, the City has not produced and articulated purpose or mission statement for the Parking Violations Bureau. The legal definition of police power includes "to prevent the commission of fraud and crime, and secure generally the comfort, safety, morals, health, and prosperity of the citizens by preserving public order and preventing a conflict of rights in the common intercourse of the citizens, and insuring to each an uninterrupted enjoyment of all the privileges conferred upon him or her by the general laws". This definition coupled with my uneasy sense that the operations of the Bureau are actually not for a legitimate public purpose but rather for revenue generation, the lack of such a mission statement becomes glaring.

I observe other specifics. Those officials and employees whom are employed by the Bureau should be hired according to proper authority and authorization, factors which should be readily reviewable by a citizen. However, at an August 19th hearing before the Freedom of Information Commission, Associate City Attorney Gregory Conte produced documentation regarding the authority and authorization of the decision to hire Ofcr. Peter Keogh, documentation which fully failed to satisfy the request. Also, the chronic lack of cooperation by city attorneys in timely responses to requests for information makes it impractical to attempt to review the authority and authorization for the decisions to hire the officers who issue parking tickets.

In addition, when a citizen who challenges a parking ticket is given notice of a hearing, there should also be an explanation that the citizen has a right to request that the actual issuing officer be present to testify. Certainly, for the observed practice that Ofcr. Keogh will appear at such hearings to testify on behalf of the Bureau is wholly inadequate.

Once a hearing has been scheduled, there should be an assigned hearing officer who is competent, impartial and properly appointed according to the explicit terms of the City Charter. I have observed instances in which these basic factors have been overlooked.

Then if a proper open review of a challenge to a citation results in a conviction, there should be explicit notice given to the citizen of a right to challenge such a ruling by processes which can include a request for Bureau reconsideration or an appeal to the Superior Court. Further, if the citizen declares an intent to challenge such a conviction, there should be an automatic stay of the conviction.

There are other legal issues regarding collection efforts on unpaid parking tickets. The City Charter provides that the City may boot a vehicle for which there is an excess of \$100 in unpaid parking tickets. However, booting a vehicle is a substantial governmental intrusion in private rights including of a right of access to one's property and of a right of transportation. Constitutional law is explicit that there can be no such governmental intrusion without a showing of a substantial governmental interest. Is the collection of \$100 in unpaid parking tickets which may involve a five-minute parking meter overage in a civil issue a substantial governmental interest? It is inconceivable that there could be a rational affirmative answer to this question. Also, there is the U.S. Supreme Court case of Shapiro

City of Bridgeport City Council Meeting October 7, 2013 Page 2 of 13 <u>v. Thompson</u>, a 1969 decision which deals with a Connecticut law, which explicitly affirms that such a permissible governmental purpose cannot involve simply the protection of the government's financial interests.

This leads us again to the question of the real purpose for the Parking Violations Bureau. Another specific request for information which I have made of the City is for financial information of the Bureau. At a hearing before the Freedom of Information Commission held on August 19th, Ofcer. Keogh testified that there were no such financial figures available as the Bureau's operations are part of the Police Department. Later, through other means, I found financial information of the Police Department which reflects that for the 2013 fiscal year end (which for the City is in June; page attached to the hard copy of these comments), there had been \$1.1 million in revenue *projected* for the Parking Violations Bureau yet with only just over \$536,000 in revenues *realized*. Thus, during the fiscal year 2013, the Bureau collected only 49% of what was projected. No wonder I and others have both experienced and observed such aggressive and bizarre Bureau practices!

For such matters which I describe here, I recommend that until these and related matters are reasonably addressed and corrected, there should be a moratorium on the City practices of booting or otherwise immobilizing vehicle for reported unpaid parking tickets.

May God bless the City of Bridgeport, the State of Connecticut and our great nation!

Ethan Book

David Jensen

W.P.C.A. Workers

Mr. Jensen read a statement regarding labor negotiations in reference to a new contract and the RFP process. He emphasized that no outside contract should be awarded- his detailed statement will be submitted to the city clerk's office or the video recording can be heard at www. SoundviewTV.org/Bridgeport.

The persons below signed up to speak prior to the public speaking session – comments summarized.

Please go to www. SoundviewTV.org/Bridgeport to view or listen to the detailed comments that the speakers addressed to the City Council on October 7, 2013.

Conrad DeJesus

Mr. DeJesus relayed a spiritual based message and expressed the words "walking by faith and not by sight". He addressed the City Council members and the audience to relay his concerns about the City of Bridgeport and the community in regard to crime, education and other topics – see note above for his detailed comments.

Juan Torrealba

Mr. Torrealba had a translator present to address the city council. He spoke about being disappointed about things that happen in the country and looking for justice for kids, in terms of kids not being secure; schools not being secure, needing more police presence and cameras in the community and the shooting range. Overall, his comments were in reference to public safety, noting the recent shootings that have occurred. He also stressed his opposition about the shooting range going in near Caesar Battalia School.

Albert Benejan

Mr. Benejan questioned why there was no security in the schools, to address the tragedy that occurred in Newtown. He emphasized that parents will continue to fight not to have the shooting range near Caesar Battalia School.

Carmen Lopez

Ms. Lopez stated that she present in support of the parents at Caesar Battalia School. She asked everyone to imagine putting a shooting range in front of a school. She expressed that people are already oppressed by government and there seems to be a theme of a problem we have with city officials and keeping the people uninformed. She further stressed that it will be a problem for many when it comes time to vote. She relayed that when she left the zoning office regarding the matter, she was told that the police commissioner doesn't have the authority to override what occurs in the police department. She emphasized and questioned the issue of City Attorney Anastasia and Attorney Sandusky having the authority to speak about this matter.

The public speaking session ended at 7:20 pm.

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CITY OF BRIDGEPORT

CITY COUNCIL MEETING

MONDAY, OCTOBER 7, 2013 7:00 PM

City Council Chambers, City Hall - 45 Lyon Terrace

Bridgeport, Connecticut

ATTENDANCE: Council members: Brannelly, Stafstrom, Banta, Taylor-Moye, Olson,

Brantley, T. McCarthy, Austin, Lyons, Vizzo-Paniccia, Bonney, Blunt,

dePara, Silva, Martinez, Marella, Paoletto, Baker, Holloway

Mayor Finch called the meeting to order at 7:35 pm.

Prayer - Council member Olson offered the prayer.

Pledge of Allegiance - Council member Brantley led the pledge of allegiance.

Roll Call - the city clerk took the roll call and announced there was

a quorum.

Mayor Finch took a few moments to address the following: a) The city broke ground in the east end for the new green house project; they took Mount Trashmore and converted it for another clean project. b) The Bond Council approved funding for Mast Fuel for the fuel cell project. c) There have been two hires in the Office of Planning and Economic Development; Jenny Ray, OPED and Cristina Smith, Central Grants Office.

Moment of Silence:

Mayor Finch asked for a moment of silence for the following persons:

Paul Barnum who passed away after a long bout with cancer.

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- Earl Pettway who was a groundbreaker in the Bridgeport Fire Department and a leader among leaders. He expressed that it was sad to hear he passed away, noting that the funeral was handled by Baker Funeral Home.
- o Dede Rosa the 4th grader who passed away at Luis Marin School two weeks ago.

MINUTES FOR APPROVAL:

Approval of City Council Minutes: September 3, 2013

- ** COUNCIL MEMBER PAOLETTO MOVED TO ACCEPT THE MINUTES
- ** COUNCIL MEMBER VIZZO-PANICCIA SECONDED
- ** MOTION PASSED UNANIMOUSLY

COMMUNICATIONS TO BE REFERRED TO COMMITTEES:

Mayor Finch asked for a motion to combine **COMMUNICATIONS TO BE REFERRED TO COMMITTEES** on pages 1, 2 and 3. And **RESOLUTIONS TO BE REFERRED TO BOARDS, COMMISSIONS, ETC.** on page 4.

- 151-12 Communication from City Clerk re: Items Pending before City Council Committees pursuant to City Council Rules Ch. XIII (11), ACCEPTED AND MADE PART OF THE RECORD.
- 152-12 Communication from City Attorney re: Twenty Day Notice to Settle Pending Litigation Pursuant to Municipal Code Section 2.10.130 with Pamela Williams, et al., ACCEPTED AND MADE PART OF THE RECORD.
- 153-12 Communication from City Attorney re: Twenty Day Notice to Settle Pending Litigation Pursuant to Municipal Code Section 2.10.130 with Pamela Williams, et al., ACCEPTED AND MADE PART OF THE RECORD.
- 154-12 Communication from City Attorney re: Twenty Day Notice to Settle Pending Litigation Pursuant to Municipal Code Section 2.10.130 with City of Norwalk, ACCEPTED AND MADE PART OF THE RECORD.
- 155-12 Communication from Central Grants and Community Development re:
 Grant Submission: State of Connecticut Department of Economic and
 Community Development's (DECD) Office of Brownfield Remediation &
 Development Grant for the East End Urban Agriculture Center, referred to
 Economic and Community Development and Environment Committee.

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- 156-12 Communication from Central Grants and Community Development re: Grant Submission: State of Connecticut Department of Economic and Community Development's (DECD) Office of Brownfield Remediation & Development Grant for the Security Building Remediation Project, referred to Economic and Community Development and Environment Committee.
- 157-12 Communication from Central Grants and Community Development re: Grant Submission: United States Environmental Protection Agency (EPA) for FY 2013 Supplemental Funding for Brownfields Revolving Loan Fund Grantees Program, referred to Economic and Community Development and Environment Committee.
- 158-12 Communication from Tax Collector re: Refund of Excess Payments, referred to Miscellaneous Matters Committee.
- 159-12 Communication from City Attorney re: Proposed Settlement of Pending Litigation with Kelly Smith, referred to Miscellaneous Matters Committee.
- 160-12 Communication from Harbor Commission re: Bridgeport Harbor Management Plan Revision, referred to Economic and Community Development and Environment Committee.
- 161-12 Communication from Public Facilities and OPED re: Proposed Request for the Discontinuance of the following City Streets: Morris Street (east of Bostwick Ave.) California Street, Pierpont Street, Maiden Lane, Pembroke Avenue, (South of Stratford Avenue between Ann Street.), East Main Street (South of Stratford Ave.) and Hough Avenue, referred to Public Safety and Transportation Committee.
- 164-12 Communication from Public Facilities re: Proposed Resolution Concerning the Power Purchase Agreement for Solar Photo-Voltaic Electric Generation at the WPCA (East Side), Public Facilities Complex, Barnum, Waltersville and Jettie Tisdale Schools, High Horizons Magnet School (JFK Campus), referred to Contracts Committee.
- 165-12 Communication from OPED re: Proposed Resolution Authorizing the Acquisition of Certain Properties for Neighborhood Redevelopment within the Lower East End, referred to Economic and Community Development and Environment Committee.
- 166-12 Communication from Central Grants and Community Development re: Grant Submission: State of Connecticut Historic Preservation Office for Sandy Disaster Relief Grant concerning Historic Properties Fayerweather Lighthouse Repair, referred to Economic and Community Development and Environment Committee.

- 167-12 Communication from Central Grants and Community Development re: Grant Submission: USCM 2014 Childhood Obesity Prevention Program for a Healthy Corner Store Initiative Grant, referred to Economic and Community Development and Environment Committee.
- 168-12 Communication from OPED re: Proposed Resolution Authorizing Entry into an Option Agreement for the Acquisition of 141 Stratford Avenue and 173 Stratford Avenue for the Development of a Commercial Office Complex and Request to Order a Public Hearing Relative to the Same, referred to Economic and Community Development and Environment Committee.
- 169-12 Communication from OPED re: Proposed Resolution Authorizing the Disposition of Certain Properties in the East End for the Development of an Urban Agricultural Center and Request to Order a Public Hearing Relative to the Same, referred to Economic and Community Development and Environment Committee.
- 170-12 Communication from OPED re: Proposed Resolution Authorizing the Disposition of Certain Properties in the North Redevelopment Area for the Construction of a Commercial Office Complex and Request to Order a Public Hearing Relative to the Same, referred to Economic and Community Development and Environment Committee.
- 172-12 Communication from Central Grants and Community Development re: Grant Submission: State of Connecticut Department of Economic and Community Development Urban Action Grant for the Andean Bear Exhibit at the Beardsley Zoo, referred to Economic and Community Development and Environment Committee.
- 173-12 Communication from Central Grants and Community Development re: Grant Submission: State of Connecticut Office of Policy & Management Youth Services Prevention Grant, referred to Economic and Community Development and Environment Committee.
- 174-12 Communication from City Attorney re: Proposed Request for Approval of Seventh Amendment to Lease with Captain's Cove Marina of Bridgeport, Inc. to provide location for Proposed Anaerobic Digester Site Adjacent to the West Side Treatment Plan, referred to Contracts Committee.
- 176-12 Communication from Central Grants and Community Development re: Grant Submission: United States Department of Justice FY 2013 Community Oriented Policing Services (COPS) Hiring Grant Program, referred to Public Safety and Transportation Committee.
- 177-12 Communication from Central Grants and Community Development re: Grant Submission: State of Connecticut Office of Policy & Management's Juvenile Justice Advisory Committee (JJAC) re: Right Response CT Network Program, referred to Public Safety and Transportation Committee.

178-12 Communication from Central Grants and Community Development re: Grant Submission: United States Department of Justice FY 2013 Edward Byrne Memorial Justice Assistance Grant (JAG) Program, referred to Public Safety and Transportation Committee.

RESOLUTIONS TO BE REFERRED TO BOARDS, COMMISSIONS, ETC.:

- Resolution presented by Council Member Blunt re: Request that a Streetlight be Installed on Utility Pole #1029 located near 55 Hillcrest Road, referred to Public Safety and Transportation Committee.
- Resolution presented by Council Member Martinez re: Request that a Streetlight be Installed on Utility Pole #6363 located near 1257 Kossuth Street, referred to Public Safety and Transportation Committee.
- 171-12 Resolution presented by Council Member Olson re: Proposed Resolution regarding the Creation of a "Trees for Bridgeport" Task Force related to the Improvements of the Urban Forest of the Park City, referred to Economic and Community Development and Environment Committee.
- Resolution presented by Council Member Martinez re: Request to make the Intersection of Knowlton Street and Shelton Street an "All-Way Stop" with Appropriate Signage and Striping, referred to Board of Police Commissioners.
- ** COUNCIL MEMBER PAOLETTO MOVED TO COMBINE AND REFER COMMUNICATIONS TO BE REFERRED TO COMMITTEES and RESOLUTIONS TO BE REFERRED TO BOARDS, COMMISSIONS, ETC.
- ** COUNCIL MEMBER BRANTLEY SECONDED
- ** MOTION PASSED UNANIMOUISLY

MATTERS TO BE ACTED UPON (CONSENT CALENDAR):

Mayor Finch asked if there were any items to be removed from the consent calendar.

Council member Paoletto made a request to remove item *146-12 Ordinance Committee Report re: Amendments to the Municipal Code of Ordinances, Chapter 3.20 Tax Incentive Development Program, amend Section 3.20.060(C) Miscellaneous Provisions.

*147-12 Ordinance Committee Report re: Amendments to the Municipal Code of Ordinances, amend Chapter 3.24 Affordable Housing Development Program.

City of Bridgeport City Council Meeting October 7, 2013 Page **9** of **13** Council member Lyons made a request to remove item *139-12 Economic and Community Development and Environment Committee Report re: Grant Submission: State of Connecticut Department of Energy and Environmental Protection for an Elton Rogers Park Dam – Ox Brook Flood Control Project.

The city clerk read the remaining consent calendar items into the record.

- *146-12 Ordinance Committee Report re: Amendments to the Municipal Code of Ordinances, Chapter 3.20 Tax Incentive Development Program, amend Section 3.20.060(C) Miscellaneous Provisions. removed
- *147-12 Ordinance Committee Report re: Amendments to the Municipal Code of Ordinances, amend Chapter 3.24 Affordable Housing Development Program. removed
- *12-12 Contracts Committee Report re: Approval of Consulting Services for the Bridgeport Public Library Facilities Master Plan.
- *134-12 Contracts Committee Report re: Resolution regarding a Memorandum of Understanding with the University of Bridgeport and Board of Park Commissioners pertaining to Softball Field Diamond #2 at Seaside Park.
- *119-12(PHO)Economic and Community Development and Environment Committee Report re: Public Hearing Ordered for October 21, 2013: re Disposition of City-Owned Properties to the Housing Authority (HACB).
- *120-12(PHO)Economic and Community Development and Environment Committee Report re: Public Hearing Ordered for October 21, 2013: re Disposition and Redevelopment of City-Owned Property located at 18-20 Island Brook Avenue.
- *121-12 Economic and Community Development and Environment Committee Report re: (Ref. #35-10 & 53-11) Resolution regarding HOME Program Sub-recipient Administrator for Down Payment and Closing Cost Assistance Program for PY37 and PY38.
- *124-12 Economic and Community Development and Environment Committee Report re: (Ref. #82-12) Resolution Concerning the Transfer of Real Property located at 112 Madison Avenue and 118 Madison Avenue.
- *125-12 Economic and Community Development and Environment Committee Report re: Grant Submission: Southwestern Connecticut Agency on the Aging (SWCAA) Title III Funds Program for the East Side Senior Center.
- *126-12 Economic and Community Development and Environment Committee Report re: Grant Submission: Southwestern Connecticut Agency on the Aging (SWCAA) Title III Funds Program for the Evidence Based Tai Chi Program.

- *127-12 Economic and Community Development and Environment Committee Report re: Grant Submission: Southwestern Connecticut Agency on the Aging (SWCAA) Title III Funds Program for the Senior Chore Program.
- *128-12 Economic and Community Development and Environment Committee Report re: Grant Submission: Southwestern Connecticut Agency on the Aging (SWCAA) Title III Funds Program for the Elderly Hispanic Program.
- *129-12 Economic and Community Development and Environment Committee Report re: Grant Submission: State of Connecticut Department of Economic and Community Development, State Historic Preservation Office for Arts Catalyzing Placemaking (ACP) Grant Program.
- *135-12(PHO)Economic and Community Development and Environment Committee Report re: Public Hearing Ordered for October 21, 2013: re Disposition of Property located at "The Davidson's Block" in the Downtown North Redevelopment Area and Authorizing a Tax Incentive Agreement in support of the Block's Historic Renovation and Redevelopment as a Mixed-Use Residential, Retail and Commercial Complex.
- *139-12 Economic and Community Development and Environment Committee Report re: Grant Submission: State of Connecticut Department of Energy and Environmental Protection for an Elton Rogers Park Dam Ox Brook Flood Control Project. removed
- *143-12 Miscellaneous Matters Committee Report re: Resolution of Endorsement regarding the Greater Bridgeport Regional Council (GBRC) to become a Council of Governments.
- *145-12 Miscellaneous Matters Committee Report re: Settlement of Pending Litigation with Pamela Williams.
- ** COUNCIL MEMBER BRANNELLY MOVED TO APPROVE
- ** COUNCIL VIZZO-PANICCIA SECONDED
- ** MOTION PASSED UNANIMOUSLY
- Mayor Finch returned to *146-12 Ordinance Committee Report re: Amendments to the Municipal Code of Ordinances, Chapter 3.20 Tax Incentive Development Program, amend Section 3.20.060(C) Miscellaneous Provisions.
- *147-12 Ordinance Committee Report re: Amendments to the Municipal Code of Ordinances, amend Chapter 3.24 Affordable Housing Development Program.

City of Bridgeport City Council Meeting October 7, 2013 Page 11 of 13 Council member Paoletto stated that the committee discussed tabling the items to return them to committee.

- ** COUNCIL MEMBER PAOLETTO MOVED TO TABLE
- ** COUNCIL MEMBER BRANNELLY SECONDED
- ** MOTION PASSED UNANIMOUSLY

Mayor Finch returned to *139-12 Economic and Community Development and Environment Committee Report re: Grant Submission: State of Connecticut Department of Energy and Environmental Protection for an Elton Rogers Park Dam – Ox Brook Flood Control Project.

Council member Lyons stated that the city received funding for the plan and they have worked diligently to put the plan in process. She commented that she knows they intend to continue to move ahead with the plan. She thanked Senator Anthony Musto for working hard to secure funding and put the plan in place. She relayed that the city council has also worked hard for years in Washington to advocate for the project and she emphasized that they will continue to do so, because it's essential to address the OxBrook flooding issue; and there will continue to be a constant diligent effort. She further commented that the first phase is only the planning stage, not the remediation stage. She said they will continue to progress on the state and city level.

- ** COUNCIL MEMBER LYONS MOVED TO APPROVE
- ** COUNCIL MEMBER BANTA SECONDED
- ** MOTION PASSED UNANIMOUSLY

New business:

- ** COUNCIL MEMBER BRANTLEY MOVED TO SUSPEND THE RULES FOR THE PURPOSE OF ADDING AN ITEM FOR REFERRAL
- ** COUNCIL MEMBER PAOLETTO SECONDED
- ** MOTION PASSED UNANIMOUSLY
- ** COUNCIL MEMBER BRANTLEY MOVED TO REFER RE: GRANT OF \$200,000.00 IN SUPPORT OF THE BARNUM MUSEAUM RENOVATIONS TO THE ECONOMIC COMMUNITY and DEVELOPMENT ENVIRONMENT COMMITTEE
- ** COUNCIL PRESIDENT McCARTHY SECONDED
- ** MOTION PASSED UNANIMOUSLY (ITEM #179-12)

- ** COUNCIL MEMBER BRANTLEY MOVED TO SUSPEND THE RULES FOR THE PURPOSE OF REQUESTING A PUBLIC HEARING PRIOR TO THE NEXT SCHEDULED CITY COUNCIL MEETING ON OCTOBER 21, 2013
- ** COUNCIL PRESIDENT McCARTHY SECONDED
- ** MOTION PASSED UNANIMOUSLY
- ** COUNCIL MEMBER BRANTLEY MOVED TO SCHEDULE A PUBLIC HEARING FOR THE FOLLOWING ITEMS: 168-12; 169-12 AND 170-12
- ** COUNCIL MEMBER MARELLA SECONDED
- ** MOTION PASSED UNANIMOUSLY

Mayor Finch announced that a copy of Forbes Magazine contained a nice article about Bridgeport.

Other business:

Council member Olson thanked City Attorney Anastasi for letting him know the information he requested regarding the Sikorsky access road. He said he was satisfied with the response.

Council member Olson mentioned that he was concerned about the west side shooting Range. He said he felt it was a tragedy about what occurred during the public speaking session and the opposition tonight. He expressed that he was surprised that the matter wasn't investigated further. He commented that we need the shooting range in Bridgeport.

ADJOURNMENT

- ** COUNCIL MEMBER PAOLETTO MOVED TO ADJOURN
- ** COUNCIL MEMBER MARTINEZ SECONDED
- ** MOTION PASSED UNANIMOUSLY

The meeting adjourned at 7:55 pm.

Respectfully submitted,

Diane Graham
Telesco Secretarial Services

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